

Nebraska

# ACLU Reports Pledge Rule Complaints

BY GRANT SCHULTE  
Associated Press

LINCOLN, Neb. — A new rule that requires Nebraska public schools to set aside time for the Pledge of Allegiance is drawing complaints from some teachers who are worried that schools may pressure them to recite it against their will, a civil liberties group said Monday.

An attorney for the ACLU Nebraska Foundation said the group has received four pledge-related complaints from teachers — a larger number than usual — since the State Board of Education unanimously approved the policy on Aug. 10. Schools must comply to keep their state accreditation and funding, but students and teachers can still choose not to participate.

ACLU Nebraska legal director Amy Miller sent a letter Monday to superintendents throughout the state, asking them to remind schools that no student or teacher can be forced to say the pledge.

In meetings before their vote, board members repeatedly stressed that the policy gives students and teachers the opportunity to opt out. But Miller said she's concerned the new rule will still lead some administrators to mistakenly believe that reciting the pledge is

**"To have four (complaints) in one month indicates to us that there's a real fear on the parts of teachers who are trying to do their job, and don't want to have to sacrifice their deeply held religious beliefs to keep their employment."**

AMY MILLER

mandatory, or embolden them to require it. She said her group normally receives about one complaint per year related to the pledge, most often from students.

"To have four in one month indicates to us that there's a real fear on the parts of teachers who are trying to do their job, and don't want to have to sacrifice their deeply held religious beliefs to keep their employment," she said.

Miller said one of the teachers works in Lincoln, another is from Omaha, and two others teach in smaller districts in rural Nebraska. None wanted to be identified out of

fear that they would face harassment, she said.

One teacher objected to a pledge because of a Bible passage, Matthew 5:33-37, which the teacher interpreted as forbidding oaths such as the Pledge of Allegiance, Miller said. Another cited the belief that pledging to the flag was akin to worshipping a false idol, which is not allowed in Christian and Jewish faiths. Another teacher raised free-speech concerns, Miller said.

The proposal requires the pledge in all classrooms, kindergarten through 12th grade, in the presence of an American flag. Students who object can stand or sit silently while the pledge is recited, but have to respect the rights of others who participate.

School officials modeled the proposal after a 2002 New Hampshire law and a bill introduced in the Nebraska Legislature. A three-judge panel of a federal appeals court upheld the New Hampshire law in 2010. The judges ruled that the voluntary, teacher-led recitation did not constitute state-sponsored religion.

Miller said Monday she had already heard responses from superintendents thanking her for the letter, and she expressed confidence that most school districts would follow the policy without major problems.

South Dakota

# More Students Earning Degrees

SIOUX FALLS (AP) — The number of students earning degrees is outpacing enrollment at South Dakota's six public colleges and universities, according to the Board of Regents.

Associate and bachelor's degree graduates have increased by 21 percent since 2005, while enrollment has risen about 17 percent during that time, the *Argus Leader* newspaper reported.

"I think university attitudes nationally and in South Dakota have changed somewhat from, 'We are here. You may come here, and if you are able to succeed, good for you,' to 'We have an important role in society to educate the public, and we need to be ensuring they are edu-

cated,'" said University of South Dakota Provost Chuck Staben.

"We produce a lot of the state's professionals," he said. "Lawyers, doctors, health professionals, teachers, businesspeople, accountants, scientists."

Higher education institutions are working with South Dakota high schools to ensure students come to college better-prepared, and that accounts for part of the increase in graduates, said Jack Warner, executive director of the regents.

Colleges and universities also are increasing academic support such as tutoring and relying more on self-paced learning, said Staben and Dakota State University spokesman Erica Clements. Schools

also are making an effort to personally connect with students who are considering leaving before graduation.

"When we have students who do not measure in our data in the semester after they have registered, we call them, each one, and ask them why they have not re-registered and how we can facilitate their continued success in college," Staben said.

"We actually have seven programs we have initiated this year for new freshmen and transfers to keep them focused on academics and integrate them into all areas of student success, in the classroom and out of the classroom," Clements said.

## Viborg Woman Claims \$10,000 Powerball Prize

VIBORG (AP) — A Viborg woman has claimed a \$10,000 Powerball prize.

Lottery officials say JoAnn Hansen claimed the prize Monday. Hansen's ticket matched four of five white ball numbers and the Powerball to win the game's third prize. The odds of winning it are one in about 649,000.

Powerball is played in most states, the District of Columbia and the U.S. Virgin Islands. The jackpot sits at \$70 million for the next drawing, on Wednesday.

OBITUARIES

### Phyllis McKee

Phyllis M. (Larson) McKee, age 92, went home on August 22, 2012.

Phyllis and Art lived in Yankton most of their married life. After retiring they resided in Mesa, Arizona. Nine years ago she moved to Knoxville, Tennessee to be close to family. Over a lifetime she made many friends of all ages who dearly loved and respected her. She knitted hats and scarves for the needy children of the Smoky Mountains.



McKee

Preceding her in death by her parents Charles and Madeline Larson; husband Arthur McKee; brother Maynard Larson.

Survived by daughters and sons-in-law Roxanne and Kenny Shelstad, and Karyn and Thomas Kyte; five grandchildren; six great grandchildren; brothers Max and Charles Larson; several nieces and nephews; and a host of friends.

A private burial service will be held at the Yankton Cemetery.

Yankton Press & Dakotan  
August 28, 2012

### Mark Pischel

VERDIGRE, Neb. — Funeral services for Mark Pischel, 54, of Verdigre, Neb., are at 10:30 a.m. Thursday, Aug. 30, 2012, at St. Wenceslaus Catholic Church, Verdigre. The Revs. Garry Welsh and Doug Scheinost will serve as concelebrants, with burial in the Pischelville Cemetery, rural Verdigre.

Visitation is 5-8 p.m. Wednesday at the church, with an 8 p.m. wake service.

Brockhaus Funeral Home, Verdigre, is in charge of arrangements.

Mark died Saturday, Aug. 25, 2012, at Mercy Medical Center, Sioux City, Iowa.

### Beverly Huber

Beverly L. Huber, age 82 of Yankton, SD died on Friday, August 24, 2012 at her residence.

Funeral services will be on Wednesday, August 29, 2012 at 10:30 a.m. at the United Church of Christ Congregational in Yankton with the Rev. Paul Opsahl officiating. Burial will be at the Yankton Cemetery.

Visitation will be on Tuesday from 4-8 p.m. with a prayer service at 7 p.m. at the Wintz & Ray Funeral Home in Yankton. The family will be present on Tuesday from 6-8 p.m. Visitation will continue one hour prior to services at the church on Wednesday.

To send an online sympathy card, please visit [wintzrayfuneralhome.com](http://wintzrayfuneralhome.com).

Pallbearers will be Brian Huber, Michael LaFollette, Jennifer Olson, Dominick Olson, Darrell Spence, and Michael Barington.



Huber

Hill, SD. Beverly attended the Mission Hill Elementary School and graduated from Gayville High School in 1948. She married Vertus L. Huber on December 10, 1950 in Mission Hill.

They farmed north of Yankton until 1969 and then moved to town. She worked for the Kochi and Chateau Restaurant and Lounge as a cook for many years. Beverly also worked for the WNAW Neighbor Lady. Her family, cooking, and collecting recipes were the things she loved the most.

Beverly is survived by her husband, Vertus of Yankton; four children and their spouses Lavonne and Craig LaFollette of Jefferson, SD, Linda and Allen Hamberger of Sioux Falls, SD, Marlon and Julie Huber of Yankton, Peter and Monica Huber of Chandler, AZ; five grandchildren, 11 great grandchildren; brother Melvin and wife Carolyn Barington of Mitchell, SD; sister Diane Spence of Utica, SD.

She was preceded in death by her parents and brother Marvin Barington.

Yankton Press & Dakotan  
August 28, 2012

WINTZ & RAY  
FUNERAL HOME  
and Cremation Service, Inc.  
Online condolences at:  
[www.wintzrayfuneralhome.com](http://www.wintzrayfuneralhome.com)

### Harry Losing

Harry Losing, 92, of Yankton died Monday afternoon, Aug. 27, 2012, at Avera Sacred Heart Hospital, Yankton.

Funeral services are pending with Opsahl-Kostel Funeral Home & Crematory, Yankton.

### Rudolph (Rudy) Bohlmann

MENNO — Rudolph (Rudy) Bohlmann, 85, of Menno died Monday, Aug. 27, 2012, at the Menno-Olivet Care Center, Menno.

Arrangements are pending under the care of Aisenbrey-Op-sahl-Kostel Memorial Chapel, Menno.

**Blast From The Past**  
**Breakfast Special \$3.95**  
Monday-Friday 6am-11am  
*Yesterday's Cafe*  
2216 Broadway

**YANKTON MONUMENT CO.**  
*Family Memorials by Gibson*  
AMBER WESTERGAARD  
325 DOUGLAS AVENUE, YANKTON, SD 57078  
OFFICE (605) 664-0980 • 1-800-658-2294  
Cell (605) 610-6992 • [www.gibsonmonuments.com](http://www.gibsonmonuments.com)

**IN REMEMBRANCE**  
**Beverly L. Huber**  
10:30 AM, Wednesday  
United Church of Christ Congregational  
Yankton  
WINTZ & RAY FUNERAL HOME and Cremation Service, Inc. 605-665-3644 [www.wintzrayfuneralhome.com](http://www.wintzrayfuneralhome.com)  
WINTZ FUNERAL HOME INC. Hartington, Coleridge, Crofton 402-254-6547

### Elvira Grindvold

HARTINGTON, Neb. — Elvira G. Grindvold, 94, of Hartington, Neb., died Monday, Aug. 27, 2012 at her residence.

Funeral services are at 10:30 a.m. Thursday at Trinity Lutheran Church, Hartington, with the Rev. Amanda Jertson officiating. Burial will be in the Hartington City Cemetery.

Visitation is 4-8 p.m. Wednesday, with a prayer service at 7 p.m., at Wintz Funeral Home, Hartington. Visitation will begin one hour prior to services on Thursday.

Memorials will be directed to the Orphan Grain Train.

**Peloton Physical Therapy**  
1101 Broadway • Suite 115B (Morgen Square) 605-260-5003  
Michelle Tieszen, PT Matt Dvorak, PT  
**YOUR NEWEST CHOICE FOR PHYSICAL THERAPY SERVICES**  
• STATE OF THE ART PRIVATE CLINIC • WE ACCEPT INSURANCE CO-PAYS

## Cooler Temps, Rain Little Help To Neb. Crops

LINCOLN, Neb. (AP) — The corn harvest is picking up in Nebraska, but last week's cooler temperatures and rain won't help with drought-damaged fields.

The U.S. Department of Agriculture says the harvest gain momentum in southeast and east central Nebraska while farmers continue to cut damaged corn for silage where moisture is still high enough.

The USDA says in Monday's report that 41 percent of Nebraska's corn crop is in poor or very poor condition, with 28 percent in fair condition and 31 percent in good or excellent shape.

The USDA says soybeans are almost done setting pods, and 22 percent are turning colors, well ahead of the average of 4 percent.

Soybeans are rated 42 percent poor or very poor, 37 percent fair and 21 percent good or excellent.

## Obama Plans Weekend Stop In Sioux City

DES MOINES, Iowa (AP) — President Barack Obama has added a stop in Sioux City to his Iowa travel plans this week.

Obama will hold an event Tuesday at Iowa State University in Ames, then will return to the state Saturday.

The Democrat had previously announced a visit Saturday to Des Moines, and on Monday a campaign official confirmed Obama has added the stop in Sioux City.

The events follow Obama's three-day bus tour of the state earlier in August.

Likely Republican presidential nominee Mitt Romney also has visited Iowa, including an event last week in Bettendorf.

Iowa is among seven states where neither candidate is believed to have a significant advantage, making the states key to deciding who will win the November election.

## 5 Arrested In Whiteclay Protest Released

PINE RIDGE (AP) — Five people arrested after locking arms and blocking a road in the northern Nebraska town of Whiteclay to protest alcohol sales have been released from custody.

KOTA-TV reports that the five people were released on personal recognizance after agreeing to unlock themselves. The arrests came Sunday night, about seven hours after the protesters sat down on Highway 87. Officers also cited a boy who had a knife with a weapons violation and released him to his mother.

An estimated 150-200 people walked the two miles from Pine Ridge, S.D., to Whiteclay on Sunday to protest beer sales in the Nebraska town that borders South Dakota's Pine Ridge Reservation, where alcohol is banned but alcohol abuse is rampant.

The Sheridan County Attorney's Office says charges against the protesters are pending.

## Neb. Mayor Files Statement In Recall Drive

GRAND ISLAND, Neb. (AP) — Grand Island Mayor Jay Vavricek has filed a defense statement in a petition drive seeking his recall.

The *Grand Island Independent* says Vavricek filed his statement last Friday, which means the process can continue.

A former City Council candidate, Jeb Wolsleben, is leading the effort to oust Vavricek, citing in part the mayor's decision to bring back the former city administrator and ignoring the council's wishes.

Hall County's election commissioner will now prepare the recall petitions, which will be given to Wolsleben on Sept. 17. He will then have 30 days to collect nearly 3,300 signatures — or 35 percent — of Grand Island voters.

If enough signatures are gathered, the mayor could resign or face a special recall election.

## McGovern Giving Up Homes In Mitchell & Fla.

MITCHELL (AP) — Former Democratic presidential candidate George McGovern is giving up his homes in Mitchell and in Florida to spend more time near family in Sioux Falls, where he also has a home.

The former South Dakota U.S. senator who turned 90 last month grew up in Mitchell and spent a lot of time in the city over the years. Dakota Wesleyan University offered McGovern use of the house when the school was raising money to build the George and Eleanor McGovern Library, and the street out front was named McGovern Avenue. Eleanor McGovern died at the home in January 2007.

Grandson Matt McGovern tells *The Daily Republic* newspaper the family is moving items from the home. University President Bob Duffett says no decision has been made on the house's future.

*What matters most*  
In a time of personal loss, emotions run high. And exceptional kindness is called for. We have offered local families the three qualities that matter most in a distressing time: Sensitivity, compassion and respect. We are here for you.

Kevin P Opsahl Funeral Director  
Tami Keller Funeral Director

Sensitivity, Compassion & Respect

Order of the Golden Rule  
Guiding and serving families with compassion and trust.  
**PSAHL-KOSTEL**  
FUNERAL HOME & CREMATORY, INC.  
Funeral Home & Crematory, Inc.  
Memorial Resource Center, Tyndall • Memorial Chapels, Tabor, Menno & Tyndall  
665-9679 • 1-800-495-9679 • [www.opsahlkostelfuneralhome.com](http://www.opsahlkostelfuneralhome.com)